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March 3, 2008

**BY HAND**

Honorable Deborah A. Batts  
United States District Judge  
United States Courthouse  
Southern District of New York  
500 Pearl Street, Room 2510  
New York, New York 10007

Re: Teddy Farmer v. City of New York, et al.  
08 CV 1534 (DAB)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to represent defendant City of New York, in this matter. I write to respectfully request an enlargement of time from March 5, 2008 until May 5, 2008, for the defendant to answer or otherwise respond to the complaint. Plaintiff's counsel consents to this application.

DAB  
GRANTED  
03/05/08

In the complaint, plaintiff alleges, *inter alia*, that, as a result of an arrest on August 11, 2007, he was subjected to false arrest, excessive force and an unlawful strip search, by officers of the New York City Police Department.

There are several reasons for seeking an enlargement of time. First, in accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need this additional time to investigate the allegations of the complaint. This office received by mail on Friday, February 29, 2008, an executed consent to the designation of the Corporation Counsel as plaintiff's agent for release of records sealed pursuant to New York Criminal Procedure Law §160.50. Thus, the enlargement will allow defendants to request and obtain the records concerning plaintiff's arrest and/or prosecution.

The extension will allow time for plaintiff to identify and serve any additional defendants. The extension will also allow this office to confirm the validity of the purported service, and to determine, pursuant to Section 50-k of the New York General Municipal Law,

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and based on a review of the facts of the case, whether we may represent these officers. See Mercurio v. The City of New York, et al., 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)).

No previous request for an extension has been made. Accordingly, we respectfully request that defendant's time to answer or otherwise respond to the complaint be extended to May 5, 2008.

Thank you for your consideration of this request.


Respectfully submitted,



Baree N. Fett (BF9416)  
Assistant Corporation Counsel

cc: Richard Cardinale, Esq., Cardinale & Marinelli (by Fax)

**SO ORDERED**



**DEBORAH A. BATTS**  
**UNITED STATES DISTRICT JUDGE**